

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ITOH

Atty. Ref.: 160-409 (AMK); Confirmation No. 7412

Appl. No. 10/785,188

TC/A.U. 1797

Filed: February 25, 2004

Examiner: P. Wright

For: INSPECTION PRETREATMENT METHOD AND INSPECTION PRETREATMENT
SYSTEM OF BOVINE SPONGIFORM ENCEPHALOPATHY

* * * * *

February 22, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated January 25, 2008, Applicant elects the subject matter of Group II, claims 5 and 6, with traverse.

Applicant respectfully submits that the subject matter of all claims 1-6 is sufficiently related that a thorough search of the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "[i]f the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It

ITOH
Appl. No. 10/785,188
February 22, 2008

is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Withdrawal of the Restriction Requirement is thus respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Alan M. Kagen/
 Alan M. Kagen
 Reg. No. 36,178

AMK:jls
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100